



STATE OF MICHIGAN
RUTH JOHNSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

June 4, 2012

REVIEW OF NOMINATING PETITION

Peter Konetchy
Candidate for U.S. Senate

NUMBER OF VALID SIGNATURES REQUIRED: 15,000 signatures.

TOTAL FILING: 15,130 signatures.

RESULT OF FACE REVIEW: 14,676 face valid signatures; 454 invalid signatures.

Total number of signatures filed:	15,130
Signature improperly dated:	- 24
Improper address:	- 16
Improper jurisdictional entry:	- 357
Improper circulator certificate:	- 57
Face valid signatures:	14,676

ANALYSIS OF CHALLENGE: 753 signature challenges left unresolved because the petition was determined to be insufficient following the face review.

FINAL RESULT: 14,676 valid signatures.

STAFF RECOMMENDATION: Determine petition insufficient.



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REVIEW OF NOMINATING PETITION

Michael A. Stahly
Candidate for U.S. Representative in Congress, District 7

NUMBER OF VALID SIGNATURES REQUIRED: 1,000 signatures.

TOTAL FILING: 1,004 signatures.

RESULT OF FACE REVIEW: 958 face valid signatures; 46 invalid signatures.

Total number of signatures filed:	1,004
Signature improperly dated:	- 8
Improper address:	- 5
Improper jurisdictional entry:	- 32
Improper circulator certificate:	- 1
Face valid signatures:	958

FINAL RESULT: 958 valid signatures.

STAFF RECOMMENDATION: Determine petition insufficient.



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Michael Magdich
Candidate for U. S. Representative in Congress, District 8

NUMBER OF VALID SIGNATURES REQUIRED: 1,000 signatures.

TOTAL FILING: 1,307 signatures.

RESULT OF FACE REVIEW: 1,128 face valid signatures; 179 invalid signatures.

Total number of signatures filed:	1,307
Signature improperly dated:	- 68
Improper circulator certificate:	- 60
Improper jurisdiction:	- 45
Improper address:	- 6
Face valid signatures:	1,128

TOTAL NUMBER OF SIGNATURES QUESTIONED UNDER CHALLENGE:

779 signatures challenged for registration, duplicates, and genuineness. Some signatures were challenged for more than one defect, but the total number of signatures challenged was 779.

ANALYSIS OF CHALLENGE: Challenges against 149 signatures overlapped face review; 212 signatures determined invalid, 418 determined valid.

FINAL RESULT: 916 valid signatures.

Total number of signatures filed:	1,307
Signatures discounted under face review:	- 179
Signatures discounted under challenge:	- 212
Total valid signatures:	916

STAFF RECOMMENDATION: Determine petition insufficient.



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REVIEW OF NOMINATING PETITION

Thaddeus Mc Cotter
Candidate for U.S. Representative in Congress, District 11

NUMBER OF VALID SIGNATURES REQUIRED: 1,000 signatures.

TOTAL FILING: 1,830 signatures.

RESULT OF FACE REVIEW: 244 face valid signatures; 1,586 invalid signatures.

Total number of signatures filed:	1,830
Duplicated signatures:	- 1,563
Signature improperly dated:	- 3
Improper jurisdictional entry:	- 20
Face valid signatures:	244

FINAL RESULT: 244 valid signatures.

STAFF RECOMMENDATION: Determine petition insufficient.



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REVIEW OF CHALLENGE
TO QUALIFICATION

Ethan Frasier
Candidate for State Representative, District 86

CHALLENGE FILED BY: David Doyle.

GROUND FOR CHALLENGE: Candidate filed to run for State Representative, 86th District. The Michigan Election Law, MCL 168.161(1), requires that all candidates for State Representative be "*a registered and qualified elector of the district he or she represents by the filing deadline [.]*"

Mr. Doyle alleged that the address given by Mr. Frasier on the Affidavit of Identity is not located within the 86th State House District.

ANALYSIS OF CHALLENGE: Staff utilized the Qualified Voter File to confirm that the address provided on the Affidavit of Identity is actually situated within a different State House District.

This is *not* a challenge that alleges that the candidate "habitually sleeps, keeps his or her personal effects and has a regular place of lodging []" outside of the electoral district. MCL 168.11(1) (defining "residence.") This challenge does not require any investigation to determine the candidate's actual place of residence. Instead, it is apparent from Affidavit of Identity itself that Mr. Frasier's address falls outside of the district, rendering him ineligible to appear on the ballot.

STAFF RECOMMENDATION: Disqualify candidate for not meeting minimum qualifications.



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REVIEW OF NOMINATING PETITION

Nicole Lee-Ann Smith
Candidate for Circuit Court Judge, Wayne County, Circuit 3
Regular Term – Non-Incumbent Position

NUMBER OF VALID SIGNATURES REQUIRED: 4,000 signatures.

TOTAL FILING: 4,282 signatures.

RESULT OF FACE REVIEW: 4,130 face valid signatures; 152 invalid signatures.

Total number of signatures filed:	4,282
Signature improperly dated:	- 44
Improper jurisdiction:	- 99
Improper address:	- 9
Face valid signatures:	4,130

TOTAL NUMBER OF SIGNATURES QUESTIONED UNDER CHALLENGE: 566
signatures challenged for registration, duplicates, and genuineness.

ANALYSIS OF CHALLENGE: Challenges against 98 signatures overlapped face review; 310
signatures determined invalid, 158 determined valid.

FINAL RESULT: 3,820 valid signatures.

Total number of signatures filed:	4,282
Signatures discounted under face review:	- 152
Signatures discounted under challenge:	- 310
Total valid signatures:	3,820

STAFF RECOMMENDATION: Determine petition insufficient.



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REVIEW OF NOMINATING PETITION

Steve Freeman
Candidate for Circuit Court Judge, Eaton County, Circuit 56
Regular Term – Non-Incumbent Position

NUMBER OF VALID SIGNATURES REQUIRED: 600 signatures.

TOTAL FILING: 666 signatures.

RESULT OF FACE REVIEW: 650 face valid signatures; 16 invalid signatures.

Total number of signatures filed:	666
Signature improperly dated:	- 11
Improper jurisdiction:	- 5
Face valid signatures:	650

TOTAL NUMBER OF SIGNATURES QUESTIONED UNDER CHALLENGE:
74 signatures challenged for duplicate, registration, and genuineness.

In addition, the challenge asserted that the heading of the petition did not indicate the circuit number. The heading reads, "We, the undersigned ... voters of the County of EATON and State of Michigan, nominate STEVE FREEMAN ... as a candidate for the office of CIRCUIT JUDGE, REGULAR TERM NON INCUMBENT, _____, to be voted for at the Primary Election ..." The blank space is where the candidate to enter the "District, if any" sought. Eaton County is the only county assigned to the 56th Judicial Circuit.

ANALYSIS OF CHALLENGE: Challenges against 3 signatures overlapped face review; 37 signatures failed for registration, 4 signatures failed for duplication resulting in 41 overall signature losses.

With respect to the heading of the petition, there is only one position available for Circuit Judge in Eaton County, the 56th Judicial Circuit. In fact, it is the *only* judicial position to be elected solely for Eaton County in 2012. The heading of the petition is sufficient in that it indicates that the petition was circulated in Eaton County and the position sought is the Circuit Judge. In these circumstances, the omission of the number of the judicial circuit (56th) is not a fatal defect.

FINAL RESULT: 609 valid signatures.

Total number of signatures filed:		666
Signatures discounted under face review:	-	16
Signatures discounted under challenge:	-	<u>41</u>
Total valid signatures:		609

STAFF RECOMMENDATION: Determine petition sufficient.



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REVIEW OF NOMINATING PETITION

Sam Salamey
Candidate for District Court Judge, District 19
Regular Term – Incumbent Position

NUMBER OF VALID SIGNATURES REQUIRED: 400 signatures.

TOTAL FILING: 800 signatures.

RESULT OF FACE REVIEW: 758 face valid signatures; 42 invalid signatures.

Total number of signatures filed:	800
Signature improperly dated:	- 8
Improper circulator certificate:	- 15
Improper address entry:	- 2
Improper jurisdiction:	- 17

Face valid signatures: 758

TOTAL NUMBER OF SIGNATURES QUESTIONED UNDER CHALLENGE:

467 signatures challenged for duplicate, registration, and genuineness.

ANALYSIS OF CHALLENGE: Challenges resulted in 191 signatures determined valid and 247 invalid.

FINAL RESULT: 511 valid signatures.

Total number of signatures filed:	800
Signatures discounted under face review:	- 42
Signatures discounted under challenge:	- 247

Total valid signatures: 511

STAFF RECOMMENDATION: Determine petition sufficient.



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REVIEW OF NOMINATING PETITION

Shannon N. Walker
Candidate for District Court Judge, District 36
Partial Term Ending 01/01/2015 – Incumbent Position

NUMBER OF VALID SIGNATURES REQUIRED: 2,000 signatures.

TOTAL FILING: 2,254 signatures.

RESULT OF FACE REVIEW: 2,217 face valid signatures; 37 invalid signatures.

Total number of signatures filed:	2,254
Incomplete name:	- 2
Signature improperly dated:	- 22
Improper address:	- 13
Face valid signatures:	2,217

TOTAL NUMBER OF SIGNATURES QUESTIONED UNDER CHALLENGE: 668
signatures challenged.

ANALYSIS OF CHALLENGE: 34 challenged signatures discounted under face review; 294
valid signatures; 340 invalid signatures.

FINAL RESULT: 1,877 valid signatures.

Total number of signatures filed:	2,254
Signatures discounted under face review:	- 37
Signatures discounted under challenge:	- 340
Total valid signatures:	1,877

STAFF RECOMMENDATION: Determine petition insufficient.



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REVIEW OF NOMINATING PETITION

Brian A. Carrier
Candidate for District Court Judge, District 41-A
Regular Term – Incumbent Position

NUMBER OF VALID SIGNATURES REQUIRED: 1,000 signatures.

TOTAL FILING: 1,150 signatures.

RESULT OF FACE REVIEW: 0 face valid signatures; 1,150 invalid signatures.

Total number of signatures filed:		1,150
Improper circulator certificate, missing required information:	-	844
Improper circulator certificate and required warning language ¹	-	306
partially or fully obscured:		<hr/>
Face valid signatures:		0

TOTAL NUMBER OF SIGNATURES QUESTIONED UNDER CHALLENGE: 1,150
signatures challenged for improper/incomplete circulator certificate.

ANALYSIS OF CHALLENGE: Challenge not processed because all signatures were discounted following the face review.

FINAL RESULT: 0 valid signatures.

Total number of signatures filed:		1,150
Signatures discounted under face review:	-	1,150
Signatures discounted under challenge:	-	<hr/> 0
Total valid signatures:		0

STAFF RECOMMENDATION: Determine petition insufficient.

¹ The last line of the circulator warning, "... SIGNS A NAME OTHER THAN HIS OR HER OWN IS GUILTY OF A MISDEMEANOR [,]" is partially or wholly cut off and/or illegible on 27 sheets, resulting in a loss of 306 signatures.



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Chris Houghtaling
Candidate for District Court Judge, District 58
Regular Term – Non-Incumbent Position

NUMBER OF VALID SIGNATURES REQUIRED: 1,000 signatures.

TOTAL FILING: 1,005 signatures.

RESULT OF FACE REVIEW: 994 face valid signatures; 11 invalid signatures.

Total number of signatures filed:	1,005
Signature improperly dated:	- 9
Improper address:	- 2
Face valid signatures:	994

TOTAL NUMBER OF SIGNATURES QUESTIONED UNDER CHALLENGE: 416
signatures challenged for genuineness.

ANALYSIS OF CHALLENGE: Challenges alleging that 416 signatures are not genuine are left unresolved because the petition was determined to be insufficient following the face review.

FINAL RESULT: 994 valid signatures.

Total number of signatures filed:	1,005
Signatures discounted under face review:	- 11
Signatures discounted under challenge:	- 0
Total valid signatures:	994

STAFF RECOMMENDATION: Determine petition insufficient.